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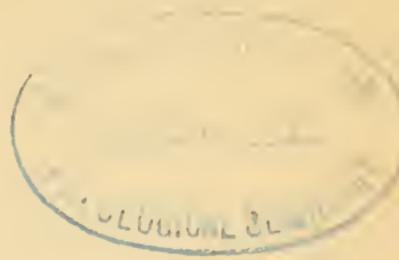


M. J. Dennis

Sep. 17. 91

A SKETCH

OF THE



T A L M U D,

THE

WORLD RENOWNED COLLECTION

OF

JEWISH TRADITIONS,

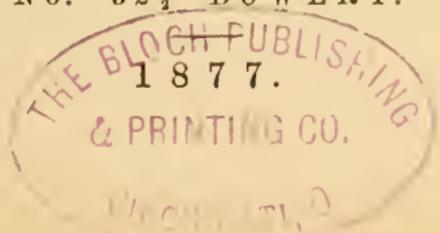
BY

REV. DR. ISIDOR KALISCH.

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“It is the essence of the Talmud which is ridiculed by those who understand it the least, and which is terribly abused in our own midst by those who hold themselves out as its sincere devotees.” (Dr. Ad. Jellinek’s Sermons, Vol. II, p. 290.)

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PREFACE.

It is my design in publishing a "Sketch of the Talmud," to recall men from prepossessed partial views, to truth.

The fate and history of the literary productions of the Jewish people in the different countries all over the habitable globe, found everywhere interpreters and expounders.

But the Talmud, which is the principal source of Judaism and is an important historical document of a period of seven hundred years, showing and explaining clearly the development and retardation of Judaism, and containing much which is of great importance to the knowledge and history of the Bible, although it still requires that the torch of criticism should throw light upon it, is very seldom used properly, or is ignored altogether. (See Dr. A. Geiger's posthumous works, Vol. II, p. 127.)

Yes, it was and is often subject to the worst abuse.*

* The governments of Italy, France, etc., influenced by priestly fanaticism, condemned the Talmud as heretical and consequently it suffered several times the martyrdom of heresy.

It requires no prophet to see that gross ignorance and misrepresentation are the real causes of it. For among millions of Jews and Christians, there are only very few who read and studied the Talmud all through, as it takes a whole life-time merely to read all the books bearing that name, and what makes it most difficult is, that although one part of it, namely, the Mishnah, is written in the Hebrew language, the second part, however, called Gemara, is composed in a style where frequently are used Chaldaic, Persian, Syric, Greek and Latin idioms, which are written with Hebrew characters without vowels.

It is therefore no wonder that it cannot be studied by many, and some know only that which they have read somewhere, quoted from another secondary source.

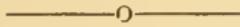
Having for nearly half a century devoted my time and energy to the study of the talmudical literature, I hope that I am fully prepared to give to the kind reader a true, clear and succinct "Sketch of the Talmud."

May it be as favorably received by every friend of literature and enlightenment, as many portions of it have been, when I published them some years ago in a popular Christian paper, read by tens of thousands.

Newark, August, 1877.

ISIDOR KALISCH.

SKETCH OF THE TALMUD.



The word Talmud is derived from the Hebrew verb לָמַד (*lamod*) to learn, to teach; signifying, oral instruction, or traditional teaching, and is the title of a collection of Jewish traditions and laws.

It is called *Talmud* emphatically, as the Law of Moses is called with emphasis “תּוֹרַה” “ὁ νομος” “the Law,” instead of תּוֹרַת מֹשֶׁה the Law of Moses.

It contains, as Buxtorf filius in *dedic. ad Lex. Talm.* correctly remarked, sound theological doctrines, although, as Maimonides somewhere says, they are occasionally concealed in useless shells.

It contains, as it were, a collection of a great many small coins, and of faithful and very useful vestiges which have escaped the destruction of Jewish antiquity *to the shame of the perfidy of some modern Jews*, to the enlightening of the history of *both Testaments*, and to a right explanation of ceremonies, precepts and customs of the former Jewish nation. We find therein the noblest proverbs of antiquity, beautiful sentiments, acute, tasteful and deep thoughts, and innumerable allusions which will make the reader not only better, but also wiser and more learned, and

which, like brilliant jewels, do not grace the Hebrew language in a less degree than the elegant phrases which the classics, the languages of Greece and Rome contain.

The Talmud consists of two parts: first, מִשְׁנָה Mishnah, (from the Hebrew verb שָׁנָה *shanoh*, to teach), traditional precept; second, גְּמָרָה Gemarah, (from the Hebrew verb גָּמַר *gamor*, to finish, to conclude), because therein was rendered the final judgment or decree, after a thorough discussion of the matter.

THE FIRST EDITOR OF THE MISHNAH.

The first collection of the Mishnah was made by Hillel Hanasi, (the prince) a contemporary of Jesus of Nazareth, who acknowledged the authority of his learned countryman, as appears from Matt. xxiii, 3: "The Scribes and the Pharisees sit on Moses' chair, therefore observe and do whatever they enjoin upon you." It is said (treatise Chagigah, p. 14 et seq.) that the traditions were so many that they could fill up six or seven hundred books, but Hillel rejected a great many and reduced them to six books.

Hillel was a native of Babylon and settled in Jerusalem, when forty years of age. Having no profession whatever, and being destitute of all other means of obtaining a livelihood, he obtained his daily bread by cutting and splitting wood. Impelled, however, by an unquenchable thirst for truth and knowledge, he even offered his services as wood-cutter

gratuitously to poor Rabbis, so that they might allow him to listen to their lectures. Having acquired some knowledge, he desired then to attend a regular course of studies at the most celebrated academy of that time, where the two ingenious and renowned teachers, the proselytes Shemajah and Abtalion, presided.

The poor wood-cutter tried all that lay in his power to earn enough to pay the admission fee to the door-keeper. One day in winter he worked very hard, but in spite of his steady and heavy labor, he could not gain the usual amount he needed, on account of the shortness of the day. He could, consequently, neither buy for himself the necessary meals, nor, much less, could he pay the door-keeper's fee at the college. Hillel then—like a thief in the night—climbed to the roof, and regardless of cold and danger, listened with close attention to the word of God and the explanations of the sages. The heaven was overcast with clouds, the storm raged fearfully and the snowflakes fell thick and fast upon him; but still poor Hillel listened on. His limbs began to stiffen, he became benumbed and all sense of feeling at last was lost. He was found in the morning apparently dead; but after applying many restoratives he was brought to consciousness again.

When the Scribes or Sophrim were informed of his intense longing for truth, they granted him free admission to their lectures. Hillel made great proficiency in all his studies, and soon the title of Nasi, prince, was conferred on him. He performed his

official duties during the term of forty years with great distinction, so that it was said of him that he was worthy to be in the rank of the prophets. His great erudition and sound principles, as well as his excellent character, entitle him to be always remembered among the brightest examples of human intellect and nobility of heart.

NOBLE TRAITS OF HILLEL, THE FIRST EDITOR OF THE MISHNAH.

Experience teaches us, that patience and sweetness of disposition conquer always the hearts of men. These traits subdue the passionate, disarm the irascible and draw forth love and admiration. Hillel possessed these virtues in the highest degree. Therefore he was appointed Nasi, prince, by King Herod, which office he held with the greatest dignity until his eightieth year. This honorable position was retained by his descendants for ten generations.

It is related (treatise Sabbath, p. 31) that two men were once wagering four hundred dinars whether Hillel could be provoked to anger or not. He who thought that he could make Hillel angry, entered his residence on a Friday afternoon and unceremoniously rushed towards the door of the bath-room where he was just taking a bath, shouting in a gruff voice: "Is Hillel here? Where is Hillel?" without adding the title of Nasi. Hillel dressed himself hastily, and

replied: "What do you wish my son?" "I want to ask you a question." "What is it, my son?"

"I would like to know," said the man, "why do the Babylonians have pointed heads?" Hillel replied, "It seems to me that the midwives are to blame for it." The man went away, but soon returned, crying out: "Hillel! Hillel! where is Hillel?" Hillel, who had returned from his bath, speedily put on his cloak and asked: "What do you wish, my son?"

"I want to be informed why the Thermodeens have weak eyes?" "That is a very important question, my son. I suppose they are subjected to dullness of sight because they live in a sandy country, and the wind drives the sand into their eyes." The man left, but soon returned in the same impudent manner. Hillel asked again with a pleasing countenance: "What do you wish, my son?"

"Tell me," said the stranger, "why the Africans have such broad feet?" "Indeed! that is a question of great moment, my son!" answered Hillel, "but I think the reason of it is, because they are obliged to walk mostly barefooted, on account of their living in marshy countries."

"I would ask you," continued the stranger, "many more queries, but I fear you will be angry with me." Hillel seated himself and said: "Let me hear all your questions and I will try to answer them." "Are you," rejoined the stranger, "he whom the people call the Prince of Israel?" "Yes," said Hillel. "Well," continued the stranger, "I wish that there

be no more such men as you in Israel." "Why, my son?" interrogated Hillel. "Because I have lost on account of you a wager of four hundred dinars," said the stranger, and related to him the whole story. Hillel kindly reprimanded him, and advised him to be more prudent, and the pecuniary loss he had met with would serve him as a lesson in the future.

Three heathens being desirous to embrace Judaism made their applications personally for this purpose to Shamai, a colleague of Hillel; but, notwithstanding he was a disciple of the latter, he adopted the great virtue which distinguished his master and friend merely theoretically, and not practically. Shamai taught: (see *Proverbs of the Fathers*, Chap. I, § 15) "Let it be thy business to study the law; say little and do much, and receive all men with affability." In spite of this wise teaching, however, he did not control his propensity to anger, and when the above mentioned three strangers had an interview with him concerning their conversion to Judaism, he became so irritated at them on account of the peculiar conditions they suggested, that he launched into invectives against them and sent them away.

They then went to Hillel, who received them kindly and endeavored to gain their hearts by his usual mildness. One said, "I wish to become a Jew, provided I can be elected to the office of a high priest." Hillel replied, "My son, whoever desires to hold an office should know all the duties connected with it, in order to discharge them faithfully. Let us, there-

fore, make ourselves familiar with all the laws and privileges concerning the priesthood." He read with the heathen the third and fourth books of Moses, and when they came to the tenth verse of the third chapter in Numbers, where it reads: "And the stranger that cometh nigh shall be put to death," Hillel remarked, that even King David, not being a descendant of Aaron, would have suffered the same punishment, if he had attempted to usurp the priestly dignity. The heathen, satisfied with this explanation, embraced Judaism unconditionally.

The second said, "I am desirous to become a Jew, provided that I may keep the written, but not the oral law." Hillel then taught him the letters of the alphabet in their usual order, and afterwards reversed them. "Why is that?" asked the heathen. "Well!" answered Hillel, "why do you reject the statement that one teacher handed down to another the correct statement of the law?" Prompted by this pertinent observation, the stranger also embraced Judaism unconditionally.

The third said, "I wish to become a proselyte, provided the Jewish religion can be taught to me in so short a time as I can stand on one foot." "Whatever is not pleasant unto thee, do not unto thy fellow-man. This is the substance of the law and the prophets; all the rest is but the commentary thereon. Go and reflect on it," replied Hillel, and thereby won over the third by his kindness and skill.

The above principle is also quoted, Tobit iv, 15:

“Do that to no man which thou hatest.” Compare also Matt. vii, 12: “Therefore all things whatever ye would” etc.

It would not be out of place to make the reader acquainted with many more maxims of Hillel.

HILLEL'S PROVERBS.

Be of the disciples of Aaron, loving and pursuing peace; loving mankind and bringing them to the study of the law. Proverbs of the Fathers, Chap. i, Sec. 12.

He who is ambitious of magnifying his name, destroyeth his name; and he who doth not increase his knowledge, diminisheth it; and he who doth not study the law deserves death; and whosoever useth for himself the crown of the law will perish. Ibid 13.

If I do not act for myself who can do it for me? When I am alone by myself, what am I? If I act not now, when shall I? Ibid 14.

Hillel once saw a skull floating on the surface of the water, and he said to it: “Because thou didst drown others, thou wast drowned, and at the end will those who drowned thee also be drowned.”

Ibid Chap. ii, Sec. 7.

If the great I AM is here, ail is here, and if the I AM is not here, who is here? Therefore reflect thereon continually, for all is in Him, and according

to the labor which thou wilt undergo, so shall be thy recompense.*

Aboth derabbi Nathan, Chap. xii.

Separate not thyself from the congregation; nor have confidence in thyself until the day of thy death. Judge not thy neighbor until thou art placed in the same circumstances; neither utter anything which is incomprehensible, in the hope that it afterwards may be comprehended; nor say, When I shall have leisure I will study; for perhaps thou mayest never have the leisure.

Proverbs of the Fathers, Chap. ii, Sec. 5.

The rude man feareth not sin; the ignorant cannot be pious; the bashful cannot become learned, nor the passionate be a teacher; nor will he who is most-ly engaged in commerce become wise.

In a place where there are no eminent men endeavor thou to become eminent.

Ibid Sec. 6.

He who increaseth his flesh multiplieth food for worms; he who multiplieth riches increaseth care; he who increaseth female servants increaseth lewdness; he who multiplieth man servants increaseth robbery; but he who increaseth his knowledge of the law increaseth life.

He who attends much at school increaseth wisdom; he who increaseth in reflection increaseth in prudence; he who exerciseth much charity multiplieth peace.

* אִם אָנִי כִּאֲנִי הַכֹּל כִּאֲנִי אִם אָנִי לֵית כִּאֲנִי מֵאֵן כִּאֲנִי הַיִּפְכָּה
וְהוֹפֵךְ בֵּה דְכוּלָּא בֵּה וְלִכְוֹלְהוּן לְפֻם צַעְרָא אַגְרָא.

If one has acquired a good name, he has acquired it for himself; if one has acquired a knowledge of the law, he has obtained immortal life.

Ibid Sec. 8.

Hillel was the first Jewish scholar who made many critical, exegetical and paleographical remarks on the Bible, when he lectured thereon in Jerusalem. These were partly written on the margin of the book and partly handed down orally from age to age until they were finally collected as *Masora*, (מסורה) tradition, which was finished in the eleventh century.

“Progress and developement” was Hillel’s motto. He did not endeavor to maintain everything in the Jewish religion in statu quo, but he tried earnestly and zealously to evoke an unceasing activity in the field of religion. His intention was not to make the law more onerous and to interpret it at pleasure; but he always strove earnestly to harmonize it with the circumstances of time and place.

That he did this, however, without any religious scruple, arose from the fact that this had already been done in many instances by the prophets. In this manner it was that the ceremony of circumcision was dispensed with under Moses, while the Israelites were sojourning in the wilderness, and the Day of Atonement under Solomon. The prophet Elijah, who was not a descendant of Aaron, sacrificed at an unholy place. Furthermore, Ezra altered a biblical law in order to punish the Levites, because they did

not accompany him when he went up with the exiles from Babylon to settle Jerusalem. He ordered the first tithes to be given to the priests, and not to the Levites, as the Bible commands. (Treatise Jebamoth, p. 86, b.)

Hillel suspended an express biblical law when he was convinced that it had become impracticable and might prove detrimental to the general welfare. We find accordingly the following departure in treatise Shebi'ith, Chap. xii, 3-4: "When one has filed a declaration in court that he will not consider his debtor released at the release year, then does the seventh year not extinguish debt." He termed such documents פְּרוֹבוֹלִים *prosbole*, which is a Greek expression meaning "before the court." He made this institution, as it is explicitly stated in treatise Gittin, Chap. iv, 3, in order to preserve the well-being of the Jewish state; as the rich had refused to lend to the poor, notwithstanding the law makes benevolence obligatory, in view of the debt at the advent of the release year.

Since Hillel considered all the religious laws as instrumental to the advancement of the temporal and spiritual welfare of man, he handed down seven hermeneutic exegetical rules, (Aboth derabbi Nathan Chap. xxxvii, and Siphra, at the beginning), by which the oral and written law should be interpreted, according to the wants of the time.

He stated, "An inference may be made: first, from minor to major and from major to minor; sec-

ond, from a similarity of phrases used in different passages; third, from the principal idea contained in one verse; fourth, from the principal idea contained in two verses; fifth, from comparing a general view of a subject with its descriptive details; sixth, from a particular expression followed then by a general one; seventh, from whatever may be learned from the connection." *

The noble and praiseworthy intention of Hillel was, however, not quite understood by his own disciples, nor by those of his hasty-tempered antagonist Shamai.

About one hundred years later Rabbi Ishmael taught that there are thirteen hermeneutic exegetical rules. (See Thorath Kohanim, in the beginning.) Some time still later Rabbi Elieser, the son of Jose, the Galilean, added again nineteen hermeneutic exegetical rules. These thirty-two rules were then generally adopted to expound the biblical scriptures, and laws were thus accumulated upon laws, so that every breath of a Jewish life was besieged by rabbinical requirements, and the small sacred volume was drowned in the ocean of Mishnahs.

Besides this, the discord which took place between the school of Hillel and the school of Shamai added

* שבעה מדות דרש הלל הזקן לפני בני בתירה אלו הן: ק"ו וגזירה שוה, ובנין אב מכתוב אחר, ובנין אב משני כתובים, ומכלל ופרט ומפרט ומכלל, וכיוצא בו במקום אחר, ודבר הלמד מענינו (אבות דרבי נתן פרק ל"ז):

a great deal to the accumulation of new laws and regulations; because the disciples of Shamai mostly forbade that which those of Hillel allowed. (Idioth, Chap. iii-iv.) It went so far that the Mosaic law appeared to be like two different codes, and on account of the contradictory regulations of the teachers, (*Thanaim*, תנאים), who acted as they thought proper, the religious people of one place were considered irreligious at another.

THE SECOND EDITOR OF THE MISHNAH.

To remedy this evil, Rabbi Jehudah Hanasi, the son of Rabbi Simeon, the son of Gamliel, or as they used to call him, Rabenu Hakadosh, "our holy teacher," or simply "Rabbi," as Aristotle was emphatically called in the Middle Ages, "the philosopher,"—collected all traditions as well as the discussions on the particulars of all ceremonies, rearranged and revised all the rabbinical laws and explanations given in the various academies during the former centuries. He arranged them also like the first edition, in six principal parts, (*Sedarim*) each of these again into single books or treatises, (*Masechtoth*) which were sub-divided into chapters, (*Perakim*) and these again into paragraphs, which are strictly called *Mishnahs*. He finished this work one hundred and twenty years after the destruction of the second temple at Jerusalem.

Rabbi Jehudah was the first teacher who ventured to reduce all traditions and rabbinical laws to

writing; because in former times only the prophets, heads of congregations and colleges were allowed to have copies of the traditional laws, which they called "*Megilloth Setarim*," "Secret Scrolls." They had to study them secretly in order to commit them to memory, that they might then be able to teach them in public orally. But when the Israelites continued to emigrate into distant countries, and were thus prevented from attending the Jewish academies, Rabbi Jehudah considered it much better to break a time-honored custom and reduce the oral law to writing, so that it might be in every man's hand, and be thus accessible to all, than to expose the whole tradition to the risk of being misunderstood or forgotten.

Although many short-sighted zealots and fanatics decried this innovation as a heresy, Rabbi Jehudah did, nevertheless, carry out his view, and justified it by referring to the words of the Psalmist, cxix, 126: "It is time for the Lord to work, for they have made void thy law." This verse he interpreted thus: It is time to act in behalf of the Lord, means, that single biblical laws may be violated in order to preserve the fundamental principles of the whole law. (Treatise Berachoth, p. 54, a, etc.)

He was a contemporary of the Roman Emperor Antonine the Pious, who was his intimate friend. Having been appointed Nasi by the Emperor, he used his influence on his imperial friend to the best advantage of his co-religionists. Therefore it is said

of him, that since Moses he was the first who combined in a high degree erudition with worldly power.

He commanded thus the respect of all, and his collection of the Mishnah was acknowledged and adopted by all Jewish congregations as a religious text book. But after the publication of the Mishnah by Rabbi Jehudah Hanasi, his disciples busied themselves in making collections of the expositions of the various opinions to be met with therein, respecting the same subject, and to complete them. Thus originated the work called הוספה (*Thosephta*) a "Supplement," or "Addition." That of Rabbi Chija and Rabbi Oshaja was preferred on account of its accuracy. The same composed also a book, בר"יה (*Baraita*), which contains the excluded portion of the Mishnah code by Rabbi Jehudah.

There were other collections made, called *Mechilta*, of Rabbi Ishmael; *Sifra* or *Thorath Kohanim*, *Siphrai of Rav*, *Pesicta d'rab Kahana*, etc., etc.

Here I must remark, that all the Rabbis from the days of Simon the Just until the time of Rabbi Jehudah Hanasi had the title of *Thanaim*, teachers, or סופרים Scribes. The Rabbis and chiefs of academies who afterwards presided were called אמורים (*Amoraim*), preachers, expounders.

As there were accumulated many commentaries on the Mishnah, it became then necessary to compile a new text book. This was entitled גמרא (*Gamara*), the final judgment or decree.

There are two collections; first, the Hierosolmitic or Tiberianic; second, the Babylonian, both called Talmud. First, הלמוד ירושלמי (*Talmud Jerushalmi*); second, הלמוד בבלי (*Talmud Bably*). The first was edited by Rabbi Jochanan, in Palestine, about three hundred years after the destruction of Jerusalem, and the latter by Rabbi Ashe, president of the Babylonian academy of Sura,—from 365 to 425—and by his pupil and friend Abina.

THE SYSTEM OF THE PHARISEES.

The men educated in the rabbinical colleges at Jerusalem before the destruction of the second temple were generally called פְּרוּשִׁים *Pharisees*,* expounders. The word פְּרוּשִׁי is derived from the verb פָּרַשׁ *Parosh*, to explain, to interpret.

I will now endeavor to sketch with an unbiassed mind the system of these Pharisees, as it is to be found in the vast rabbinical literature.

It seems to me that, led by the principle of enjoying the substance and casting away the shell, the Pharisees made an eclectic use of the Grecian philosophy, assigning as they did, high authority to the Socratic, Platonic and Aristotelian schools. (See my "Guide for Rational Inquiries into the Biblical Writings," p. 63—71.)

* Philo calls them ὅσιοι, the pious, the religious. He took the word פְּרוּשִׁי *Parush* in the Aramaic sense, meaning: one who secludes himself from worldly passions and devotes himself to the duties of piety.

They were votaries of supernaturalism and entertained the following opinions: God is an infinite, (Midrash Rabba Genes. Chap. 68,) unique, spiritual, (treatise Chagigah, fol. 15,) eternal, necessary, providential being (Midrash Rabba Exod. Chap. 3, and treatise Berachoth, fol. 9,) who cannot be conceived by human understanding, (treatise Berachoth, fol. 31). He does not exist in the world, but the whole universe exists in him, (Midrash Rabba, Chap. 68,) wherefore God is also called the infinite space, *Mabom*. He can be perceived only through His works. (Ibid, Chap. 1.)

As regards the creation, they taught that out of the many systems of worlds which were present to His wisdom, he created the best possible one, and instituted the best order, Optimism. (Ibid Genes. Chap. 3.) Hence the principle laid down by Rabbi Akiba: "Whatever God does is well done." (Ibid Genes. Chap. 3, and treatise Berachoth, p. 60.)

This is illustrated by the following story. It is related, (treatise Berachoth, p. 60, b.): Rabbi Akiba was once on a journey, and when reaching the last inhabited place bordering on an extensive forest, he wanted to stop there over night. But as he had applied everywhere in vain for lodging, he said to them: "Whatever God does is well done." He continued his way and resolved to stay all night in the forest.

He tied his jaded mule to a tree, lighted a torch and fastened it on a dry stump, because the night

was very dark. He let the rooster, (the alarm clock in the night of past ages,) which he carried with him to tell him the time, perch. He had hardly climbed up a high tree in order to spend the night in safety, when a lion came and tore his mule to pieces, a wild cat devoured his rooster and the wind blew out his torch. After observing all that had happened, he said to himself, "Whatever God does is well done."

During the same night, the enemy, who were encamped in that vicinity, took that very place by surprise where he had wanted to stay all night, laid it low, and made nearly all its inhabitants prisoners. He then addressed all the fugitives who took to the woods for a refuge: "Was I not right in maintaining that whatever God does is well done? If I had remained in the city, or my torch continued to burn, or had my mule neighed, or the rooster crowed, the enemy would have detected, plundered and taken me prisoner too."

As a consequence of this principle, which they applied to both physical and moral evils, the Pharisees taught that we should thank God also for events that seem to us to be evil. (Treatise Berachoth, p. 54.)

I will now relate an instance which is illustrative of the pious character and just reasoning of Rabbi Akiba, and which is also worthy of the close attention of the reader.

There was once a decree of the Roman Emperor, that any one who would study the holy law should be put to death. Notwithstanding this prohibition,

Rabbi Akiba kept preaching publicly on the divine scriptures, undaunted and with incomparable courage.

Papus, the son of Judah, met him just when he was addressing a vast audience. He accosted him thus: "Dear Rabbi, art thou not afraid of being punished by the government?" Rabbi Akiba replied: "Our situation reminds me of a story, which I shall tell you now, from which you may learn a lesson."

THE FOX AND THE FISHES.

"A fox was walking on the brink of a river and observed that there was a great commotion among the fishes therein. They were swimming uneasily to and fro. He asked them, 'Why are you so restless to-day? By whom are you pursued?' They answered, 'We want to escape the perils of nets and hooks which men throw out to catch us.'

"Then said the fox, 'I pity you my dear ones, but I will tell you now what you have to do in order to be rescued. Come to me on dry land, where we will then lead a happy life together.'

"But they said, 'Art thou the same beast that is regarded by all as the wisest among the brutes? Thou seemest not to be wise at all, but a fool. If we are in danger of losing our lives in the water, our natural element of life, how much more dangerous would it be for us to be on dry land, where we could not exist at all!'"

"This," continued Akiba, "is exactly the case with us, in these times of persecution. If trouble and

danger threaten us even when we are studying the holy scriptures, which are the means of a happy existence and the source of a happy life, how much more are we exposed to all kinds of trouble and woe, if we neglect to study our holy books!"

A short time had elapsed since the above interview between the two Rabbis, when both Akiba and Papus were arrested and thrown into a dungeon. Papus, broken-hearted, said to Akiba: "Happy art thou, Akiba! Thou art here for having battled for the cause of our holy religion; but woe to me! I am imprisoned for having spent my time in temporal and vain efforts, and I did not mind the wise hint thou hast given me. Woe to me, that I did not heed thy sound judgment, and did not follow thy noble example!" (Treatise Berachoth, p. 61, b.)

Furthermore, the Pharisees taught: there is no fatalism on earth, but all that happens is so ordained by God, (treatise Chullin, fol. 7, b,) except virtue and piety, which are entirely left to man's free choice.

In reference to this, Rabbi Akiba expresses himself thus: "Everything that is done is foreseen by Providence, although freedom of choice concerning moral actions, is left to man. God judges the world for its own well-being, and the judgment depends on the balance of deeds. Man goes bail with himself for all that he receives and for all that he does; his life is always in the net of retribution that is spread over all men. On the mart of life, the warehouse is open, the merchant (God) crediteth,

the journal is open and the hand recordeth, and whosoever wishes may come and borrow; yet the collectors (death in various forms) are continually going around, and sometimes get paid with the consent of the debtors, and sometimes without it; and the collectors have good authority on which to rest for support, for the Court renders its decision in conformity with truth and justice, and everything is thus arranged in order to prepare for the feast." (Ethics of the Fathers, Chap. 3, § 15-16.)

And although good and evil are entirely left in this sublunary world to man's choice, they taught that he who pursues or endeavors to pursue the path of virtue receives the support of God; whereas the designs of him who chooses the way of wickedness are not fixed from above, but entirely the fruits of his own choice. (Treatise Joma, fol. 38.) These principles are based upon Psalms xxxvii, xxiii and Proverbs xx and xxiii.

As the most ancient talmudical gnomology is contained in פרקי אבות *Pirke Aboth*, (the Chapters of the Fathers,) I will quote here some of these beautiful maxims and sayings. _____

ETHICS OF THE FATHERS.

CHAP. I.—§ 1. The men of the great Synod laid down three principles: Be careful in giving judgment; train up many disciples, and make a fence for the law. (Meaning [sepes legis] guard laws, precautionary ordinances.)

§ 2. Simon the Just, who was one of the last of

the great Synod, taught: The welfare of the human race in this world is sustained by virtue of three things, viz: the law, divine worship and charity.

§ 3. Antigonus of Socho, who flourished in the third century before the common era, taught: Be not like servants who serve their master with a view of receiving rewards; but like servants who serve their master without the view of being rewarded, and then will you truly be God-fearing.

This sage was probably acquainted with the doctrines of Socrates, (Xenophon's *Memorabilia*, I, 1, § 2-3, III, 9, § 15,) and therefore he pronounced the above sentence, that doing right even because it is right and without regard to future reward, is worshipping God, is religion.

It is not only historically certain, that in consequence of the invasion of Asia by Alexander the Great, the Grecian language, literature and culture were transplanted to Palestine, but the very name "Antigonus" leads us to suppose that the Chaldaic and Hebrew languages had to yield their places to the Grecian.

THE ORIGIN OF SADDUCISM.

The conciseness of the language, however, used by Antigonus in this sentence, caused his disciples Zadok and Baithos to misunderstand its meaning, so that they drew false conclusions from it and

adopted the system of the Stoics then flourishing in Greece.

But as the Bible was and remained the centre and appeal of all their investigations, it was but natural that their new philisophical system produced a new mode of interpreting the sacred books, and with it a new religious sect. Allured probably by Grecian stoicism, some teachers strove to vindicate this system of Antigonus. They remarked, From what motives was this principle advanced, and why has it been upheld by later teachers? Is it to be imagined that a laborer should work the whole day without receiving due reward in the evening? If our fathers had acknowledged a life to come and the resurrection of the dead, they would never have adopted this principle of Antigonus. (Aboth of Rabbi Nathan, Sec. 5.)

By these and similar reflections, they gained many votaries, established a school of their own and assumed, after the names of Zadok and Baithos, the appellations of Sadducees and Baithosians. The former, however, remained preponderant. (Vide Jost's History of the Israelites, [larger work in 12 vols.], Vol. I, p. 66, and Appendix No. 31; Universal History of the Israelites, [smaller work in 2 vols.], Vol. I, p. 519.)

They assumed like the Stoics, two eternal principles of all things, a passive one, (עֲלֵה Hyle, in Hebrew, *Tohu Wawohu*, תהו ובהו) and an active principle, God; hence their system is the dualistic one. It was for

this reason that they were designated by their opponents as heretics, as we read in the Talmud Hori'oth, fol. 11: "Who is a Sadducee? Every idolater." (Compare also Talmud Synhedrin, fol. 38, a and b, and Midrash Rabba Genes. Chap. viii.)

Although they regarded the soul as a part of the Deity, they nevertheless held it to be perishable, like every other material being, for they professed the conviction that it was absurd to believe in the existence of immaterial things.

§ 6. Procure thyself a teacher and acquire thyself an associate; and judge all mankind favorably.

§ 7. Keep thyself aloof from an evil neighbor and associate not with the wicked; nor flatter thyself to escape punishment.

§ 8. Consider not thyself when called on to judge in a litigation, as an advocate of either side; and when the parties are before thee to try their cause, presume them both guilty; but when they are gone look upon them both as innocent, provided they submitted to the judicial decree.

§ 9. Cross examine the witnesses and be careful of your inquiries, lest they learn from your own words to utter a falsehood.

§ 10. Love labor, loathe playing the master, and aspire not after dominion.

§ 11. Ye learned men, be cautious of your words, that your disciples may not misconstrue and hence misunderstand them. Etc., etc.

CHAP. II.—§ 2. It is proper to combine the study of the law (erudition) with practical life, because he who occupies himself with both of these, thinks not of sin.

§ 4. Sacrifice thy will for the will of God, that He may sacrifice the will of others for thy will. Etc.

§ 9. If thou art highly learned, do not pride thyself upon it; because for this purpose wast thou created.

It is related, (Aboth of Rabbi Nathan, Chap. xv,) that Rabbi Jochanan, who laid down this principle, lost a hopeful son in the prime of his life. His disciples came to console him and found him in all the dignity of woe. Every one related to him a similar calamity that had happened, but they could, nevertheless, not conquer by the recital of such melancholy facts, the deep emotion of his excessive sorrow and grief. Rabbi Elieser finally approached him very modestly and accosted him: "Rabbi, allow me to tell thee to what thy great loss which thou hast suffered would be comparable. There was a king who gave one of his servants a very costly and precious vessel in keeping. He wished and sighed daily: 'Oh! may I be so happy that I can deliver it undamaged and faultless when demanded of me by the king.' Dear Rabbi, thy son was such an inestimable vessel, full of knowledge, wisdom, piety of disposition and urbanity of manners, and that thou didst return it to the owner in the most perfect state, must render thee now very happy."

“My son,” said the mourning Rabbi, “thou hast comforted me; I am perfectly consoled.”

§ 15. Let the honor of thy fellow-man be as dear to thee as thy own; do not get easily into passion; repent one day before thy death; and warm thyself by the fire of wise men, but be careful that the heat does not scorch thee, for all their words are words of fire.

Rabbi Elieser, the teacher of these maxims, when asked by his disciples how any man could strictly follow that rule, to repent one day before his death, as no one knows the time of it, answered: “Therefore be ready every day with penitence and good deeds, as though the next day were thy last.” (Aboth of Rabbi Nathan, Chap. xv.)

§ 16. Envy, unbridled passion and misanthropy cause the death of man.

Rabbi Joshua, who taught this maxim, distinguished himself by his piety as well as by his wit, so that he became a favorite of the imperial court at Rome; but they sometimes made him the butt of their raillery on account of his ugliness. A princess once asked him: “How does it come that an excellent mind lodges often in an ugly body?”

“Why,” he replied, “does your father keep his best wine in earthen jars, and not in vessels of gold and silver?”

The princess ordered at once that vessels of gold and silver should be filled with the best wine; but it soon grew sour. The emperor, who heard the story,

then remarked that he knew many excellent men who were handsome too, but that they would be still more excellent if they were less handsome. (Jalkut Parshath Toldoth.)

I repeat now that which I said in my "Guide for Rational Inquiries into the Biblical Writings," p. 63.

"As Grecian philosophy began with single sentences and proverbs of the so-called Seven Sages, so must we regard the profound maxims and ascetic doctrines of the first teachers, which are contained in the "Ethics of the Fathers," and the "Aboth of Rabbi Nathan," as the beginning and origin of philosophical studies among the Jews."

Many of the Jewish sages have distinguished themselves by erudition as well as by piety. I have selected here a few instances which will acquaint the reader with their true and exalted ideas and views, and which will perhaps at the same time afford some entertainment.

It is remarked in the Mishnah: Why did God create only one man in the beginning?

It was for many reasons: first, That we may learn from this fact, as the earth was once in existence for the benefit and happiness of one human being, the ruin of one pious and honest human soul is equal to the destruction of a whole world, with all its forces, and the preservation of a human soul from perdition is equal to such a meritorious work, as if one had preserved a whole world with all its beautiful creations. Second, That no man shall be bloated

with pride of high pedigree, and that one shall not say to another, "My father was of nobler blood than yours." (Treatise Synhedrin, p. 37, a.)

It is related that a caviling heathen, an acquaintance of Rabbi Gamliel, once said to him: "If your God, as you assert, is the source of all righteousness, please tell me, why did He steal a rib from the first man when asleep, as it is stated in Genesis, Chapter i, 21?"

The amiable and accomplished daughter of Gamliel, who happened to be present, requested her father for the permission to set this infidel to rights. "Well, do so, my dear," answered Gamliel.

She then addressed the heathen and said: "Sir, before arguing our subject, will you have the kindness to do me a favor by calling in a justice of the peace?" "Why," said he, "for what purpose?" She then rejoined: "Some robbers invaded our house last night, purloined a silver goblet and replaced it by a gold one."

"Is that all?" asked the heathen, "I would wish that my house might be pillaged in such a manner every day."

"Well," said she, "since you are of such an opinion, you will probably coincide with me that it was much better for Adam to receive for one rib a beautiful companion for his whole life, who would share his pleasures and woes, and would nourish him faithfully when old and infirm."

"I admit that," said the caviler, "but I would like

to know, why did God make him unconcious when He performed for him the sweetest blessing of his existence?"

She then remarked, "I will answer your question, but before all things, get me a piece of raw meat." He did her bidding with alacrity. She at once took it, washed, salted, dabbed and roasted it in his presence; then she asked him if he would like to have a slice of it; but he politely declined, declaring that he would have had perhaps some appetite, if he had not witnessed the dressing of it.

"Well," she reiterated, "exactly so was the case with the first man. If he would have seen how God formed Eve, he might not have liked her so well as when she stood before him, graced with womanly loveliness and beauty." (Treatise Synhedrin, p. 39.)

Rabbi Mair was the first who remonstrated against the blind faith in the authority of eminent men. He enjoined his pupils to use their own intellectual faculties and rely on the result of their own unbiassed criticism.

He laid down the maxim: Look not at the jar but at that which is therein; for there are new jars full of wine, and old jars which do not contain even new wine. (Aboth, Chap. iv, Sec. 27.)

He was also considered the best of the talmudical fable writers. The morals contained in three hundred verses of the Bible he illustrated by fables, but only three have been preserved to us. (Treatise Synhedrin, p. 38, b.)

THE FOX AND THE BEAR.

A fox persuaded a bear to enter the court-yard of a Jewish family on a Friday, late in the afternoon, when they were busy in preparing their meals for the Sabbath, to offer them his services, providing they would allow him to spend the Sabbath with them. But he had hardly entered the premises, when he was welcomed by an armed company who with their sticks assaulted him with such formidable blows, that he had to run for life.

The bear chagrined and growling, rushed towards the fox, intending to tear him to pieces. The fox, however, succeeded in appeasing his wrath by apologising that they mistook him for his father, who had also offered once his help for the preparation of the Sabbath meals, and at the same time unceremoniously helped himself to the best dainties that they had in the house. "What," asked the bear in great astonishment, "shall I suffer the punishment due to my father?"

"Yes," rejoined master fox, "because it is a well-known proverb: 'The fathers have eaten sour grapes and the children's teeth are set on edge.' (Ezekiel xviii, 2.) My dear, I will prove my genuine friendship to you forthwith; I know a place where you can eat and drink to your hearts desire."

He then led his snarling companion to a draw-well with two buckets each fastened to the end of a rope attached to a pole laid across the well. He took two stones of equal weight, each of them heavier than himself. He then seated himself in the sus-

pended bucket, taking one of the stones with him, and descended the well while the other bucket slowly ascended. The bear, astonished at the strange freak of his companion, asked him: "Why do you go down?"

The fox reiterated: "Oh, how does this place abound with meat and cheese! Do you not see the luscious cheese?" calling his attention to the reflection of the full moon then shining brightly in the sky. The bear, enticed by the prospect of a good supper, inquired anxiously: "How can I get down."

"Well," said master fox, "place the stone which I have selected in the suspended bucket and then you seat yourself comfortably on it." Advising him to do so, that in case the stupid bear should follow him he would nevertheless be able to ascend by throwing out the stone from his own bucket and then be out-balanced by the other.

The bear, however, unwittingly put the stone in the bucket and seated himself thereon, to the great joy of master fox, who having thrown his stone into the well, was instantly drawn out of his perilous position and jumped from the bucket to dry land.

The bear finding himself deluded, growled: "How am I to get out?" And the fox answered: "The righteous is delivered out of his trouble and the wicked cometh in his stead." (Proverbs, Chap. xi, 8.) And as it reads in the Bible, (Leviticus xix, 36): "Just balances, and just weights," which rule you have grossly violated.

JUDICIARY OF PALESTINE.

It is stated in Treatise Synhedrin, p. 2, that there were three different courts in the land of Israel.

First, *Synhedrin Gedolah*, supreme court, which was composed of seventy-one members. Second, *Synhedrin Ketanah*, the inferior court, consisting of twenty-three members. Third, *Beth Din*, local court, which consisted of three members.

The qualifications for any one to become a judge of the common court, were intelligence, modesty and popularity. (Treatise Synhedrin, 88 b.) When he practised to the satisfaction of the people, he was promoted to the court at the gate of Har Habayith, (Temple Mountain), from thence to the court at the gate of the *Asarah* (yard), and then he was advanced to the supreme court.

Besides the literary attainments, however, every aspirant to the judicial chair of the supreme court had to be possessed of an exalted, unblemished character, learned in sciences, as in mathematics, medicine and natural philosophy, and well versed in many languages. (Treatise Synhedrin, p. 71.)

The seat of the supreme court was at Jerusalem, in a large hall in the temple called *Lishchath Haggasith*, (the hall of hewn stone), and sometimes in the palace of the High-priest. There were also two inferior courts in Jerusalem; one held its session at

the gate of temple mountain, and the other at the gate of Asarah.

Cases involving capital punishment concerning false prophets, High-priests and a whole tribe, were exclusively cognizable in the supreme court, in the large hall adjoining the temple.

On Friday, Saturday, on the day previous to a biblical festival and on the seven biblical holidays, no court was allowed to hold any session. (Treatise *Synhedrin*, p. 32, Beza, 36.)

The punishment in capital crimes was performed in four modes: stoning, burning, beheading and strangling. (Treatise *Synhedrin*, 49, b.) The corpses of those that were stoned to death, were hung by the neck to a gibbet, where they were exhibited until sunset.

The supreme court (*Synhedrin Gedolah*), had two, and according to some, three secretaries to record all the proceedings.

But forty years before the destruction of Jerusalem, the supreme court ceased to try any case where capital punishment was inflicted. (Treatise *Synhedrin*,* p. 41, a.)

*The word סנהדרין is borrowed from the Greek "συνέδριον" a deliberative assembly or council, and consequently must be pronounced *Synhedrin*, and not *Sanhedrin*; it is feminine gender, and the plural is *Synhedrioth*. (See Treatise *Synhedrin*, p. 2.)

A translation of the six divisions of the Mishnah was rendered in Latin by Surenhus in the city of Amsterdam, (1698—1703). A Spanish version appeared in Venice in 1606; one in German by Rabe, in Onolzbach in 1761; and another in Berlin, 1832—1834, by the renowned Jewish historian Dr. Jost, the modern Josephus, who added also vowels to the Hebrew text of the Mishnah. In former times the Mishnah was accentuated as stated (Tosefoth on treatise Megillah, p. 32, a,) similar to that of the Hebrew Bible.

Only some single treatises of the Talmud were translated into Latin and German by Drs. Hirschfeld and Pinner; but many talmudical anthologies, with translations and annotations, have been published by Plantavitius, Hurwitz, Fürstenthal, Fürst and others.



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